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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,565	07/11/2003	Li Nie	410289	3537

30955 7590 06/29/2006

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EXAMINER

WEIER, ANTHONY J

ART UNIT PAPER NUMBER

1761

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Supplementary Election/Restrictions

1. Upon further consideration of the remaining claims in this application, it was determined that said claims further carry the following two sets of species which had been inadvertently overlooked. The distinct primary species are as follows:

A. Resin formulation containing hydrolyzed protein or hydrolyzed protein derivatives – claims 1-16, 24, 25, and 27-54.

B. Resin formulation containing hydrolyzed protein/hydrolyzed protein derivative-emulsifier complex – claims 1, 17-23, and 26-54.

The species are independent or distinct because the protein elements are very exceptionally different in composition, particularly by the incorporation of an emulsifier unit in said complex..

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

It should be noted that the application further contains a secondary species relating to claims 42-53:

1a. Resin formulation containing a filler as a secondary ingredient – claims 42-44 and 50-53.

1b. Resin formulation containing a fiber as a secondary ingredient – claims 42 and 45.

1c. Resin formulation containing a pigment as a secondary ingredient – claims 42 and 46.

1d. Resin formulation containing a coloring agent as a secondary ingredient – claims 42 and 47.

1e. Resin formulation containing foaming agents as a secondary ingredient – claims 42 and 48.

1f. Resin formulation containing special effect ingredients as a secondary ingredient – claims 42 and 49.

The species are independent or distinct because each imparts a different effect or result to the final product.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of one primary and one secondary species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after

the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

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remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

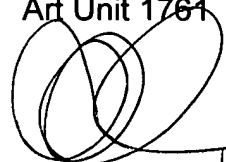
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Weier whose telephone number is 571-272-1409. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anthony Weier
June 22, 2006

Anthony Weier
Primary Examiner
Art Unit 1761



6/22/06